

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

KAREN STEVENS, et al.,  
  
Plaintiffs,  
  
v.  
  
ELI LILLY AND COMPANY,  
  
Defendant.

CIVIL ACTION No. 03-CV-12346 (PBS) (MBB)

**EMERGENCY JOINT MOTION TO SEAL ATTACHMENT**  
**TO CONSENT ORDER APPROVING SETTLEMENT**

Plaintiffs Karen Stevens, individually and as mother, guardian, and next friend of Maddy Olivia Stevens and Fenner Zimble Stevens, and Defendant Eli Lilly and Company (“Lilly”), hereby jointly move for an Order sealing the attachment to the Consent Order Approving Settlement. In support of their joint motion, the parties state as follows:

1. The parties appeared before Chief Magistrate Judge Marianne B. Bowler on October 8, 2004 and agreed to a settlement of this case.
2. Pursuant to the Settlement Agreement entered into by the parties, the terms of the settlement are confidential and may not be disclosed.
3. On November 15, 2004, Chief Magistrate Judge Bowler entered an Order approving the settlement and dismissal of the case and approving the parties’ division of proceeds. The Order attaches a two-page Settlement Sheet that details the division of proceeds and information concerning plaintiffs’ counsel’s fees and costs.
4. The information in the Settlement Sheet is confidential under the terms of the Settlement Agreement entered into between the parties. The confidentiality of this information is an integral component of the Settlement Agreement.

5. The November 15, 2004 Order was filed publicly on the electronic docket in this case, available through the Public Access to Court Electronic Records (PACER) system. This public filing included the attached Settlement Sheet.

### CONCLUSION

For the foregoing reasons, the parties respectfully request that this Court enter an Order to seal the attachment to the Consent Order Approving Settlement and to disable access to the attachment through the Public Access to Court Electronic Records (PACER) system.

Respectfully submitted,

KAREN STEVENS, Individually And As  
Mother, Guardian and Next Friend of MADDY  
OLIVIA STEVENS and FENNER ZIMBLE  
STEVENS, Minors,

By Their Attorneys,

/s/ Kenneth M. Levine (by permission)  
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-and-

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ELI LILLY AND COMPANY,

By Its Attorneys,

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Dated: November 18, 2004